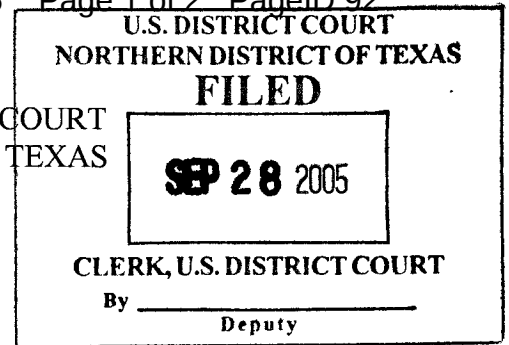


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



MARK HARRY McCLENDON,

Plaintiff,

v.

JO ANNE BARNHART,
Commissioner of Social Security,

Defendant.

§
§
§
§
§
§
§
§
§
§

2:02-CV-0218

ORDER ADOPTING REPORT AND RECOMMENDATION,
REVERSING THE DECISION OF THE COMMISSIONER,
and REMANDING FOR FURTHER PROCEEDINGS

Came this day for consideration plaintiff MARK HARRY McCLENDON's appeal of the decision of the Commissioner of Social Security denying plaintiff disability benefits. The United States Magistrate Judge entered a Report and Recommendation on September 13, 2005, recommending therein that the decision of the Commissioner be reversed and the case remanded to the Commissioner for further proceedings. No objections have been filed of record.


The undersigned United States District Judge has made an independent examination of the record in this case. The Report and Recommendation of the United States Magistrate Judge is hereby ADOPTED. Accordingly, the Commissioner's administrative decision finding plaintiff not disabled and not entitled to benefits is REVERSED, and the decision is REMANDED to the defendant Commissioner for further administrative proceedings consistent with the Report and Recommendation of the Magistrate Judge, including but not limited to all action specified and

recommended to be taken on remand.

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

ENTERED this 28th day of September 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE